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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,577	05/15/2001	Daniel Egger	4256B	1561

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DORSEY & WHITNEY LLP
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EXAMINER

LEWIS, ADAM M

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,577

Applicant(s)

EGGER ET AL.

Examiner

Adam M. Lewis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 99-138 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 99-138 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 125-144 been renumbered 119-138.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 99-138 are rejected under 35 U.S.C. 102(b) as being anticipated by Cowart ("Cowart", *Mastering Windows 3.1*, ISBN 0-89588-842-4).

As per independent claim 99, Cowart teaches a method for arranging a desired number of activated windows of information for display on a screen connected to a computer, wherein the desired number is the number of activated windows to arrange for display on the screen in a particular format, and wherein the computer activates windows, the method comprising:

identifying activated windows for display, wherein the number of activated windows identified for display equals the desired number of activated windows to be

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displayed in the particular format, wherein the desired number of activated windows to be displayed is greater than one, and wherein the most recently activated windows are identified for display (Cowart, Page 65, Fig. 2.7);

arranging the identified windows on the screen for display in the particular format, wherein the identified windows are visibly arranged (Cowart, Page 67, Figs. 2.8 and 2.9); and

wherein each time a new window is activated the steps of identifying and arranging are repeated. The user may perform the step of repetition at any time after a new window is activated.

Dependent claim 119 is identical to claim 99, and is therefore rejected under similar rationale.

As per claim 100, which is dependent on claim 99, Cowart teaches the method of claim 99, further comprising choosing the desired number of activated windows to arrange on the screen in the particular format (Cowart, Page 66 "Cascade," "Tile," Page 67, Figs. 2.8 and 2.9).

Dependent claim 120 is identical to claim 100, and is therefore rejected under similar rationale.

As per claim 101, which is dependent on claim 99, Cowart teaches the method of claim 99, wherein the desired number of activated windows to arrange on the screen is a default value (Cowart, Page 67, Figs. 2.8 and 2.9). A default value is defined as a value that the system uses when the user does not specify a value. Therefore the default value for windows to arrange is the number of windows on the screen.

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Dependent claim 121 is identical to claim 101, and is therefore rejected under similar rationale.

As per claim 102, which is dependent on claim 100, Cowart teaches the method of claim 100, further comprising recognizing one or more activated windows which have not been identified for display and will not be arranged for display on the screen in the particular format (Cowart, Page 67, Figs. 2.8 and 2.9). The row of icons on the bottom of each figure represent identified windows that are not arranged for display.

Dependent claim 122 is identical to claim 102, and is therefore rejected under similar rationale.

As per claim 103, which is dependent on claim 102, Cowart teaches the method of claim 102, wherein an activated window not identified for display may be represented on the screen with a representative display, the method further comprising representing one or more recognized windows on the screen with a representative display (Cowart, Page 67, Figs. 2.8 and 2.9). The representative display of the activated windows not identified for display are the icons representing the activated windows at the bottom of each figure.

Dependent claim 123 is identical to claim 103, and is therefore rejected under similar rationale.

As per claim 104, which is dependent on claim 103, Cowart teaches the method of claim 103, wherein the representative display is an icon which graphically represents the recognized window and wherein the icon is displayed simultaneously with an identified window (Cowart, Page 67, Figs. 2.8 and 2.9).

Dependent claim 124 is identical to claim 104, and is therefore rejected under similar rationale.

As per claim 105, which is dependent on claim 104, Cowart teaches the method of claim 104, further comprising minimizing the recognized window (Cowart, Page 67, Figs. 2.8 and 2.9). The minimized windows are the icons located at the bottom of each figure.

Dependent claim 125 is identical to claim 105, and is therefore rejected under similar rationale.

As per independent claim 106, Cowart teaches a method for displaying active information windows on a screen, wherein the information windows are generated by a computer and the screen is operably connected to the computer, and wherein the information windows may be displayed in two or more formats, comprising:

identifying at least one active window, wherein the identified windows will be displayed in a first format on the screen, (Cowart, Page 66, "Cascade," "Tile"; Page 67, Figs. 2.8 and 2.9)

recognizing at least one active window, wherein the recognized windows will be displayed in a second format on the screen, and wherein none of the identified windows are recognized; (Cowart, Page 67, Figs. 2.8 and 2.9) and

generating a display on the screen for viewing identified windows and recognized windows, wherein a first format display is generated for each of the identified windows, wherein a second format display is generated for each of the recognized windows, and wherein the second format is different from the first format (Cowart, Page 67, Figs. 2.8 and 2.9), comprising:

arranging the first format displays and second format displays for display on the screen, wherein the computer is used in the arranging step (Cowart, Page 67, Figs. 2.8 and 2.9); and

repeating the steps of identifying, recognizing and generating when a new window is activated.

The first format for identified windows is either cascade or tile. The second format for recognized windows being arranged as icons in a distinct row at the bottom of the window. The user may perform the step of repetition at any time after a new window is activated.

Independent claim 126 is identical to claim 106, and is therefore rejected under similar rationale.

As per claim 107, which is dependent on claim 106, Cowart teaches the method of claim 106, wherein the steps occur automatically each time a new window is activated (Cowart, Page 67, Figs. 2.8 and 2.9). Once a new window is activated the user may enter the command to carry out the steps of claim 106, therefore causing the computer to automatically carry out those steps.

Dependent claim 127 is identical to claim 107, and is therefore rejected under similar rationale.

As per claim 108, which is dependent on claim 106, Cowart teaches the method of claim 106, wherein the second format is graphic icons and the graphic icons are arranged to overlay on the first format display, and wherein the method further comprises arranging the graphic icons, wherein the graphic icons are arranged in an orderly fashion (Cowart, Page 67, Figs. 2.8 and 2.9).

Dependent claim 128 is identical to claim 108, and is therefore rejected under similar rationale.

As per claim 109, which is dependent on claim 106, Cowart teaches the method of claim 106, wherein the first format displays are arranged vertically side-by-side (Cowart, Page 67, Fig. 2.9).

Dependent claim 129 is identical to claim 109, and is therefore rejected under similar rationale.

As per claim 110, which is dependent on claim 106, Cowart teaches the method of claim 106, wherein the first format displays are arranged horizontally (Cowart, Page 67, Fig. 2.9).

Dependent claim 130 is identical to claim 110, and is therefore rejected under similar rationale.

As per claim 111, which is dependent on claim 106, Cowart teaches the method of claim 106, wherein the generating step further comprises minimizing the recognized windows (Cowart, Page 67, Figs. 2.8 and 2.9).

Dependent claim 131 is identical to claim 111, and is therefore rejected under similar rationale.

As per claim 112, which is dependent on claim 106, Cowart teaches the method of claim 106, wherein a database manager is used, and wherein the step of generating further comprises accessing a database of information and using the accessed database information to generate the first formal displays (inherent in Cowart, Page 67, Figs. 2.8 and 2.9). The information shown in the displays of Cowart must be generated

from a database because the information is part of a file system, which is a form of database and therefore inherent.

Dependent claim 132 is identical to claim 112, and is therefore rejected under similar rationale.

As per independent claim 113, Cowart teaches a database management system using windows of information and auto-arranging of the windows, wherein each time a previously inactive window is activated the system auto arranges the windows for display on a screen, comprising:

- a memory, wherein data for use in generating information windows is stored;

- a processor, operably coupled to the memory, that auto-arranges the windows of information; wherein the windows of information are automatically arranged, the processor comprising:

- means for generating windows of information using data from the memory; and

- means for auto-arranging windows of information into an arranged format, wherein more than one window may be arranged, and wherein each time a previously inactivate window is activated, all the active windows are arranged so that the arrangement of windows changes each time a previously inactivate window is activated (Cowart, Page 66-67; Figs. 2.8 and 2.9); and

- a screen, operably coupled to the processor, wherein the screen displays the information windows in an arranged format.

The information shown in the displays of Cowart must be generated from a database because the information is part of a file system, which is a form of database

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and therefore inherent. Furthermore, the user may perform the step of repetition at any time after a new window is activated.

Independent claim 133 is identical to claim 113, and is therefore rejected under similar rationale.

As per claim 114, which is dependent on claim 113, Cowart teaches the database management system of claim 113, wherein the means for auto-arranging windows comprises:

means for determining windows to be arranged in a first format and windows to be arranged in a second format, wherein at least one window is determined to be arranged in the first format (Cowart, Page 67, Figs. 2.8 and 2.9).

Dependent claim 134 is identical to claim 114, and is therefore rejected under similar rationale.

As per claim 115, which is dependent on claim 113, Cowart teaches the database management system of claim 113, wherein the windows determined to be arranged in the second format are represented by graphical icons and are displayed in a lower portion of one or more of the first format windows (Cowart, Page 67, Figs. 2.8 and 2.9).

Dependent claim 135 is identical to claim 115, and is therefore rejected under similar rationale.

As per claim 116, which is dependent on claim 113, Cowart teaches the database management system of claim 113, wherein the arranged format is a targeted format chosen by a user of the database management system, further comprising: means for choosing a target format (Cowart, Page 64-66, "Using the Task List").

Dependent claim 136 is identical to claim 116, and is therefore rejected under similar rationale.

As per claim 117, which is dependent on claim 116, Cowart teaches the database management system of claim 116, wherein the user may enter a customized target format, further comprising: a keyboard, wherein the customized target format may be entered (Cowart, Page 867, "General Keys").

Dependent claim 137 is identical to claim 117, and is therefore rejected under similar rationale.

As per claim 118, which is dependent on claim 116, Cowart teaches the database management system of claim 116, wherein the user may choose from several different formats, the data management system further comprising: means for displaying a list of formats to be chosen (Cowart, Page 65, Figure in middle of page, Page 66, "Cascade," "Tile").

Dependent claim 138 is identical to claim 118, and is therefore rejected under similar rationale.

Double Patenting

4. Applicant is advised that should claims 99-118 be found allowable, renumbered claims 119-138 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bourgeios et al. (US# 5,060,170) teaches space allocation and positioning method for screen display regions in a variable windowing system.

Hargrove (US# 5,371,847) teaches a method and system for specifying the arrangement of windows on a display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Lewis whose telephone number is 703-305-0720. The examiner can normally be reached on M-Th 7:00-4:30, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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